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MAY EVEN JUSTIFY THE USE OF SLANDER BY U.S. SECRET AGENTS, A
FEDERAL COURT HAS HELD.

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A FEDERAL JUDGE UPHOLD THE RIGHT OF A CENTRAL INTELLIGENCE
AGENT THURSDAY TO KEEP SILENT IN A CASE BROUGHT BY AN ESTONIAN
EMIGRE WHO SAID THE AGENT SLANDERED HIM.

CHIEF JUDGE ROSZEL THOMSEN MADE THE RULING IN THE CASE OF
JURI RAUS, 39, OF HYATTSVILLE, MD., AN ENGINEER FOR THE U.S.
BUREAU OF PUBLIC ROADS AND ERIK HEINE, 46, OF REXDALE,
ONT., A SUBURB OF TORONTO.

RAUS IS ALSO A NATIONAL COMMANDER OF AN ESTONIAN EMIGRE
ORGANIZATION DEDICATED TO FREEING THE LITTLE BALTIC STATE FROM
RUSSIAN RULE; HEINE IS ALSO PROMINENT IN THE SAME CAUSE.

HEINE CHARGED THAT RAUS SLANDERED HIM BY TELLING OTHER
ESTONIAN EMIGRE LEADERS THAT HE OR HEINE WAS A DOUBLE AGENT,
SERVING THE RUSSIANS.

THE CIA CONCEDED THAT RAUS HAD MADE THE CHARGES BUT
BECAUSE HE HAD BEEN UNDER CIA ORDERS TO DO SO, HE WAS IMMUNE
FROM PROSECUTION.

JUDGE THOMSEN AGREED AND ACCEPTED THE CIA CLAIM THAT
RAUS' TESTIMONY COULD BE "CONTRARY TO THE NATIONAL SECURITY
INTERESTS OF THE UNITED STATES."

THERE WAS NO INDICATION OF WHETHER HEINE WOULD APPEAL THE
DISMISSAL OF HIS \$110,000 SUIT AGAINST RAUS.

THE CASE FIRST CAME TO LIGHT EIGHT MONTHS AGO WHEN THE CIA
MADE THE UNUSUAL IDENTIFICATION OF RAUS AS ONE OF ITS AGENTS.

RAUS NEVER WENT BEYOND THE ADMISSION THAT HE MADE THE CHARGES
AGAINST HEINE. HE DID NOT EVEN FORMALLY CLAIM WHAT HE SAID
ABOUT RAUS WAS TRUE.

LITTLE OF THE WORK ON THE CASE WAS DONE IN THE OPEN. MOST
OF JUDGE THOMSEN'S WORK WAS DONE WHILE THE FORMAL SLANDER TRIAL
WAS IN RECESS AND THOMSEN CONFERRED WITH THE CIA AND EXAMINED
THE CASE.

IN THE COURSE OF THE TRIAL, HEINE'S ATTORNEYS APPEALED TO
THE WHITE HOUSE FOR HELP IN BREAKING THE SHROUD OF SECRECY
THE CIA THREW OVER THE CASE.

RECEIPT OF THE APPEAL WAS ACKNOWLEDGED BUT ALL THAT WAS SAID
ABOUT IT WAS THAT IT WAS BEING STUDIED BY SPECIAL COUNSEL HARRY
C. MCPHERSON, JR.

IN ESTONIAN REFUGEE CIRCLES, HEINE WAS KNOWN AS A FORMER
PARTISAN FIGHTER IN HIS NATIVE COUNTRY AND AS A MILITANT ANTI-
SOVIET NATIONALIST.

DURING THE TRIAL HE TOLD A DRAMATIC STORY OF CAPTURE AND ESCAPE,
OF DARING GUERRILLA RAIDS AGAINST THE RUSSIANS IN ESTONIA IN
HIS CAPACITY AS A LEADER OF A FIGHT FOR FREEDOM.

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